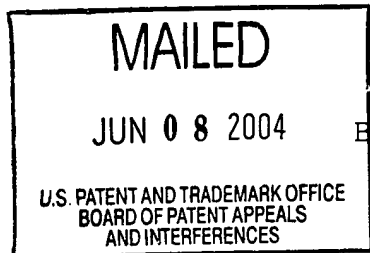


The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 32

UNITED STATES PATENT AND TRADEMARK OFFICE



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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
\_\_\_\_\_

Ex parte FRIEDHELM BECKMANN  
\_\_\_\_\_

Appeal No. 2004-0578  
Application No. 09/666,951  
\_\_\_\_\_

ORDER DISMISSING APPEAL  
\_\_\_\_\_

Before HARKCOM, Acting Chief Administrative Patent Judge and  
KIMLIN and WILLIAM F. SMITH, Administrative Patent Judges.

Per curiam.

On April 15, 2004, counsel for the appellant filed a Notice to Withdraw Appeal. On April 19, 2004, counsel for the appellant filed a Request for Continued Examination (RCE) under 37 CFR § 1.114. Pursuant to the notice entitled "Request for Continued Examination Practice and Changes to Provisional Application Practice," 65 Fed. Reg. 50092, 50095 (Aug. 16, 2000), and the provisions of 37 CFR § 1.114(d), a request for continued

examination under 37 CFR § 1.114 filed after appeal has been taken, but prior to a decision on the appeal, "will be treated as a request to withdraw the appeal and to reopen prosecution of the application before the examiner."

The application is being returned to the examiner for further action as may be appropriate.

BOARD OF PATENT  
APPEALS AND  
INTERFERENCES

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Appeal No. 2004-0578  
Application No. 09/666,951

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